

MINUTES
SAN DIEGO COUNTY PLANNING COMMISSION
Regular Meeting – February 23, 2007
DPLU Hearing Room, 9:00 a.m.

The meeting convened at 9:04 a.m. and adjourned at 10:20 a.m.

A. ROLL CALL

Commissioners Present: Beck, Day, Kreitzer, Riess, Woods

Commissioners Absent: Brooks, Pallinger

Advisors Present: Brazell, Shick (DPW); Taylor (OCC)

Staff Present: Pryor, Russell, Grunow, Lowe, Murphy,
Ramaiya, Jones (recording secretary)

B. Statement of Planning Commission's Proceedings, Approval of Minutes for the Meeting of January 26 and February 9, 2007

Action: Riess - Woods

Approve the Minutes of January 26 and February 9, 2007.

Ayes: 5 - Beck, Day, Kreitzer, Riess, Woods
Noes: 0 - None
Abstain: 0 - None
Absent: 2 - Brooks, Pallinger

C. Public Communication: Opportunity for members of the public to speak to the Commission on any subject matter within the Commission's jurisdiction but not an item on today's Agenda.

Michael Thometz, representing Mountain Empire Resources Information Taskforce (MERIT) urges the Planning Commission to schedule a workshop to discuss the need for watershed and oak tree preservation in San Diego County. The Planning Commissioners will review the information Mr. Thometz has provided and will determine when a workshop should be scheduled.

D. Formation of Consent Calendar: Items 1, 2, 3 and 4(TM 5362RPL, TM 5455, P04-026 and P04-039)

TM 5362RPL, Agenda Item 1:

1. Homeland Estates, Tentative Map (TM) 5362RPL, North County Metropolitan Subregional Plan

The project is an application for a Tentative Map for the subdivision of 11.87-acres into nine single-family residential lots ranging in size from 1.03 to 1.68 gross acres and construction of a private access road. Site development will require approximately 22,700 cubic yards of earthwork, with a net import of 12,600 cubic yards of fill material. Water service to Lots 1-3 will be provided by the Rincon del Diablo Municipal Water District (MWD) and water services to Lots 4-9 will be provided by the City of Escondido. Fire services will be provided by the Rincon del Diablo Fire District. Each lot will utilize a private underground septic system to accommodate domestic waste discharges. Access to Lots 1-7 would be gained from a new private road off of Miller Avenue; Lots 8 and 9 would be accessed directly via Alexander Drive. The project site is designated with an A70 Use Regulation, with a density of one dwelling unit per acre.

Staff Presentation: Grunow

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Day – Riess

Adopt the Resolution approving TM 5362RPL, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Subdivision Ordinance and State law.

Ayes:	5 -	Beck, Day, Kreitzer, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	2 -	Brooks, Pallinger

TM 5455, Agenda Item 2:

2. 241 East Bradley Condominium Conversion, Tentative Map (TM) 5455, Pepper Drive-Bostonia Community Plan Area

Request for a Tentative Map to allow the conversion of 15 apartments into 15 condominiums. The 0.52-acre site is located at 241 East Bradley Avenue, and is designated (9) Residential with a (RU29) Urban Residential Use Regulation.

Staff Presentation: Ramaiya

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Day – Riess

Adopt the Resolution approving TM 5455, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Subdivision Ordinance and State law.

Ayes:	5 -	Beck, Day, Kreitzer, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	2 -	Brooks, Pallinger

P04-026, Agenda Item 3:

3. T-Mobile Village Nursery Telecommunications Facility, Major Use Permit P04-026, North County Metropolitan Subregional Plan Area

This is a request from T-Mobile for a Major Use Permit to construct and operate an unmanned wireless facility and associated equipment shelter at 2415 San Pasqual Valley Road in the North County Metropolitan Planning area, an unincorporated community of the County of San Diego (APN 237-100-39-00). The project will occupy approximately 700 square feet of the 10.1-acre parcel. The proposed project consists of a total of 12 antennas, which will be mounted on a faux Mexican Fan Palm and painted a non-reflective green to match the branches. The palm is 40 feet tall and the antennas will not exceed 35 feet in height. The proposed antennas have an associated outdoor equipment masonry concrete CMU wall with dimensions of 35 feet L x 20 feet W x 10 feet 4 inches H. Access to the project is from San Pasqual Valley Road via Old San Pasqual Road.

Staff Presentation: Lowe

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Day – Riess

Grant Major Use Permit P04-026, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Zoning Ordinance and State law.

Ayes:	5 -	Beck, Day, Kreitzer, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	2 -	Brooks, Pallinger

P04-039, Agenda Item 4:

4. Nextel Ballena Valley telecommunications Facility, Major Use Permit P04-039, Ramona Community Plan Area

The proposed project is for an unmanned telecommunications facility consisting of a total of 12 antennas, which will be mounted on a 35-foot tall faux broadleaf tree. The antenna midsection will not extend above 30 feet in height and will be painted to match the color of the branches. The proposed outdoor equipment cabinet has dimensions of 16 feet x 11 feet x 12 feet 6 inches, with a 2.5-foot pitched roof for architectural integrity. The project is located at 26353 Old Julian Road.

Staff Presentation: Lowe

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Day – Riess

Grant Major Use Permit P04-039, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Zoning Ordinance and State law.

Ayes:	5 -	Beck, Day, Kreitzer, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	2 -	Brooks, Pallinger

POD 06-002, Agenda Item 5:

5. Proposed Zoning Ordinance Amendments POD 06-002, Sea Cargo Containers, County-Wide

Proposed Zoning Ordinance amendments to ensure that sea cargo containers are compatible with surrounding land uses and the community character.

Staff Presentation: Murphy

Proponents: 2; **Opponents:** 7

Discussion:

In December 2005, the Board of Supervisors directed a review of Ordinances and regulations that address the use of cargo containers, particularly in residential areas, to determine ways to guarantee compatibility with surrounding land uses and community character. Staff prepared a number of alternatives and presented them to the Planning Commission for consideration in December 2006. At that hearing, the Planning Commission recommended not allowing cargo containers in historic districts, and discussed additional restrictions on the screening for these structures and where they should be located. Staff was directed to return to the Commission with an Ordinance that addresses these issues.

Following careful review of the Commission's December recommendations and input from the Community Planning and Sponsor Group representatives, Staff concurs that no cargo containers should be allowed in areas designated as Historic/ Archaeological Landmarks or Districts, and that cargo containers may be allowed in areas zoned for residential and agricultural uses if the following restrictions are met:

- The container must be located to comply with all building setbacks;
- The container must be used only for storage;
- There must be a legal primary use onsite;
- There must be no violations of the Zoning Ordinance or the County Code of Regulatory Ordinances onsite;
- The exterior of the container must be painted a solid color chosen from a list of colors approved by the Director of Planning and Land Use; and

POD 06-002, Agenda Item 5:

- The square footage of the cargo container along with the square footage of accessory structures onsite does not exceed maximum allowable square footages for accessory structures as indicated in Section 6156g of the Zoning Ordinance.

Staff recommends that cargo containers be allowed for storage purposes only in commercially- and industrially-zone areas if there is a legal primary use onsite. Staff also recommends that cargo containers be allowed on private property in all zones temporarily to store building materials and/or construction tools during construction pursuant to an active building permit, and that legal nonconforming containers be allowed to remain for no more than two years.

Many of the audience members support several of Staff's recommendations, but remain concerned about visual impacts, as well as impacts on community character and property values. Concern is also raised regarding the proposed Ordinances lack of discussion on the "stacking" of these structures as occurs in other jurisdictions. The Planning Commission is urged by some to deny Staff's recommendations, while others in attendance request that their communities be exempted from the proposed Ordinance.

Commissioner Woods is among those concerned about adequately screening the cargo containers reduce their visibility. He also wants to ensure that the containers are located away from front yards, and voices concern about the visual impacts of these containers in residential zones.

Commissioner Beck acknowledges that the cargo containers provide a service and are fire-, water- and rodent-proof; however, he believes they should only be temporarily allowed in residential zones. Commissioner Riess recommends that Staff consider allowing the containers on one-acre lots, but that they be restricted from front yards or any area visible from the street. He also recommends that "stacking" not be allowed. Commissioner Riess agrees with Staff's recommendation that cargo containers should be allowed in residential areas for no more than two years.

Commissioner Day appreciates Staff's efforts. He recommends that the containers be painted in earthtone colors that are compatible with the background of the environment in which the containers are located. He recommends that these structures be relegated to back yards. Commissioner Day voices a lack of support for the two-year restriction, and believes the containers should be allowed on residential lots at least five acres in size. He does support temporarily allowing cargo containers on lots less than five acres in size and limiting the containers to 320 square feet.

POD 06-002, Agenda Item 5:

Commissioner Woods supports most of Commissioner Day's recommendations, but believes restricting the containers to five-acre minimum lots could be onerous. He suggests two-acre minimum lot sizes, and that the containers be screened and not allowed in front yards.

Commissioner Beck reiterates that the containers should be allowed temporarily (no more than two years) in residential zones, and that they be restricted to lots at least four-acres in size.

Action: Day – Riess

Recommend that the Board of Supervisors Approve staff's recommendations with the following amendments:

- 1) Include language in Section 6162(b)(5) to make it clear that the required solid color will blend with the surrounding environment.
- 2) In areas where the residence is the primary structure, cargo containers shall be located behind the primary residence.
- 3) In areas where the residence is the primary structure, cargo containers are permitted on sites greater than 2.0 acres, subject to the restrictions specified in the cargo container ordinance. On sites of less than 2.0 acres, cargo containers shall be permitted subject to the provisions of the cargo container ordinance, provided that the total size of the cargo containers does not exceed 320 square feet. Further, the containers are only temporary and must be removed within 6 months from the date of installation.

This POD will be returned to the Planning Commission at their next meeting for approval of the revised language. Staff anticipates that the new language will be slightly modified to clarify that the additional restrictions included in the Planning Commission's decision targets residential uses and not agricultural uses.

Ayes:	5 -	Beck, Day, Kreitzer, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	2 -	Brooks, Pallinger

Administrative:

E. Director's Report:

There was no report.

F. Report on actions of Planning Commission's Subcommittees:

There were no reports.

G. Designation of member to represent the Planning Commission at Board of Supervisors meeting(s):

None.

H. Discussion of correspondence received by the Planning Commission:

2007 APA Conference is scheduled to be held in Philadelphia on April 14 through April 18, 2007.

Department Report

I. Scheduled Meetings:

There being no further business to be considered at this time, the Chairman adjourned the meeting at 10:20 a.m. to 9:00 a.m. on March 9, 2007 in the DPLU Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California.